

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

UNITED STATES OF AMERICA

*versus*

CHALMER DETLING, II

Criminal Action No.:  
1:18-CR-00309-LMM-LTW-1

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**MOTION TO STRIKE SURPLUSAGE IN INDICTMENT**

COMES NOW the Defendant, CHALMER DETLING, II, by and through undersigned counsel, pursuant to Rule 7(d) Federal Rules of Criminal Procedure, and moves this Court to strike from the indictment allegations which are immaterial, irrelevant, and, if submitted to the jury, would be unfairly prejudicial to the Defendant. The irrelevant language's presence in the indictment, a document that has been returned by the Grand Jury, and contains the signature of the United States Attorney and of the Grand Jury foreperson, gives these irrelevant and unfairly prejudicial allegations undue weight and the indicia of authority. As such, they are due to be struck.

"The inclusion of clearly unnecessary language in an indictment that could serve only to inflame the jury, confuse the issues, and blur the elements necessary for conviction under the separate counts involved surely can be prejudicial." United States v. Bullock, 451 F.2d 884 (5th. Cir. 1971).

Mr. Detling respectfully requests that the following statements be struck from the indictment in order to protect the defendant against immaterial or irrelevant allegations in the indictment which may be prejudicial (Rule 7, Note to Subdivision (d)):

“On or about October 31, 2016, the Supreme Court of Georgia accepted DETLING’s petition for voluntary surrender of his law license, which the Supreme Court of Georgia described as ‘tantamount to disbarment.’ DETLING is currently not licensed to practice law in the State of Georgia.”

WHEREFORE, Mr. Detling respectfully requests that the Court grant his motion to strike surplusage in the indictment.

Dated:        This 30th day of October, 2018.

Respectfully Submitted,

/s/ Molly Hiland Parmer  
MOLLY HILAND PARMER  
GEORGIA BAR NO. 942501  
ATTORNEY FOR MR. DETLING

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing has been formatted in Book Antiqua 13 pt., in accordance with Local Rule 5.1B, and was filed this day with the Clerk of Court electronically using the CM/ECF system which will automatically sent email notification of such filing to counsel of record:

Alex R. Sistla and John Ghose  
Assistant United States Attorneys  
Suite 600, Richard B. Russell Building  
75 Ted Turner Drive, S.W.  
Atlanta, Georgia 30303

Dated: This 30th day of October, 2018.

/s/ Molly Hiland Parmer  
MOLLY HILAND PARMER  
GEORGIA BAR NO. 942501  
ATTORNEY FOR MR. DETLING

Federal Defender Program, Inc.  
Centennial Tower, Suite 1500  
101 Marietta Street, N.W.  
Atlanta, Georgia 30303  
404-688-7530; Fax: 404-688-0768  
Molly\_Parmer@fd.org